

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Prisons Department - NHRC - Case No.17/1/23/2008-09-JCD-SCN-Custodial death of Under trial Prisoner Mallam Khanna Rao, S/o Sri Ramalu, on 30-3-2008, in Central Prison, Warangal- National Human Rights Commission recommended to pay a sum of Rs.1.00 lakh as monetary Relief to the next kin of the deceased - Sanction accorded - Orders - Issued.

HOME (PRI.C.HRC) DEPARTMENT

G.O.RT.No. 373

Dated:17-03-2011.

Read the following:-

- 1.From the Additional Secretary to Government (L&O), General Administration Department D.O.letter No 158/HRC/A1/2010-1, dated 11-08-2010 along with show cause notice, dated 03-08-2010.
- 2.From the Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad letter No.SB3/303/2008, dated 02-09-2010 addressed to NHRC.
3. From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, in Case No. 17/1/23/2008-2009-JCD, dated 30-12-2010.

ORDER:

In the reference first read above, National Human Rights Commission has issued Show Cause Notice vide letter dated 03-08-2010 to the Chief Secretary to Government, under section 18 (c) of the Protection of Human Rights Act, 1993, as to why compensation should not be recommended to be paid to the next kin of the deceased prisoner Mallam Kanna Rao, as the jail authorities have failed to protect the life of the prisoner.

2. In the reference second read above, the Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad vide letter dated 02-09-2010 has furnished the report to National Human Rights Commission stating that the prisoner was admitted at Central Prison, Warangal on 27-10-2007 and has never complained of any ill health. On 30-03-2008 at 5-40 pm, he attempted suicide by hanging with twin thread of durry. Immediately he was shifted to MGM Government Hospital, Warangal, where the Doctors examined him and declared dead and none can be held responsible for this act.

3. In the reference third read above, the Assistant Registrar (Law), NHRC has stated that the Commission, has not satisfied with the reply submitted by the Director General and Inspector General of Prisoners C.S., Andhra Pradesh, Hyderabad as the Prisoner died due to hanging while in the custody of the jail and the jail authorities have failed to protect the life of the deceased. Hence it has recommended to pay a sum of Rs.1,00,000/- (Rupees one lakh only) to the legal heir of the deceased prisoner, Mallam Kanna Rao died on 30-03-2008 at Central Prison, Warangal and submit the compliance report along with proof of payment within eight weeks.

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4. Government, after careful examination, hereby accord sanction for an amount of Rs.1.00 lakh (Rupees one lakh only) towards payment of compensation to the legal heir of the deceased Prisoner, Mallam Kanna Rao, S/o Sri Ramalu died on 30-03-2008 in Central Prison, Warangal as directed by the National Human Rights Commission, New Delhi.

5. The amount sanctioned in para (4) above, shall be debited to the Head of Account "MH 8000-Contingency Fund - 2056 Jails-MH 101 Jails - SH (04) Jails-500 Other Charges-501 Compensation (Charged)", and shall initially be met by way of an advance from the Contingency Fund, orders regarding which will be issued by the Finance (BG) Department separately.

6. The Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para (4) above and to place at the disposal of the Collector & District Magistrate, Warangal, for making payment to the legal heir of the deceased Prisoner Mallam Kanna Rao.

7. The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, shall send necessary proposals for obtaining Supplementary Grant at an appropriate time during the current financial year 2010-11, towards recoupment of advance from the Contingency Fund.

8. This order issues with the concurrence of the Finance (Exp.Home) Department, vide their U.O.No.1817/96/A2/Exp.Home/11, dated 11-03-2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.P.ACHARYA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General and Inspector General of Prisons and
Correctional Services, A.P., Hyderabad.

Copy to:

The Director of Treasuries & Accounts, A.P., Hyderabad.
The Accountant General, (A&E), A.P., Hyderabad.
The pay & Accounts Officer, Hyderabad.
The District Treasury Officer, Warangal District
The Collector & District Magistrate, Warangal District.
The Deputy Registrar (Law), National Human Rights Commission,
Faridkot House, Copernicus Marg, New Delhi.
The General Administration (HRC) Department.
The Finance (Exp.H&L) Department.
The Finance (BG) Department.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER